



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SUSU15-00061 Gabriel's Center Subdivision  
**Application Type:** Major Combination (Reconsideration)  
**CPC Hearing Date:** June 2, 2016

**Staff Planner:** Alfredo Austin, 915-212-1604, [austinaj@elpasotexas.gov](mailto:austinaj@elpasotexas.gov)  
**Location:** East of Doniphan and North of Thorn  
**Acreage:** 2.8136 Acres  
**Rep District:** 1

**Existing Use:** Commercial  
**Existing Zoning:** C-4 (Commercial)  
**Proposed Zoning:** C-4 (Commercial)

**Nearest Park:** Thorn Park (.51 miles)  
**Nearest School:** Robert Elementary School (.58 miles)  
**Park Fees Required:** \$2,810.00  
**Impact Fee Area:** This property is not located in an Impact Fee Service Area.

**Property Owner:** Rachel V. Gabriel  
**Applicant:** Rachel V. Gabriel  
**Representative:** SLI Engineering

### **SURROUNDING ZONING AND LAND USE**

**North** C-3/C-4/R-4 (Commercial/Residential)  
**South:** C-3/C-4 (Commercial/Residential)  
**East:** A-2/C-2 (Residential/Commercial)  
**West:** R-2 (Residential)

**THE PLAN FOR EL PASO DESIGNATION:** G-3, Post War

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide 2.8136 acres of land for one commercial lot. Primary access to the subdivision is proposed from Doniphan Drive. This development is being reviewed under current subdivision ordinance.

The applicant is requesting an exception to waive right of way dedication and improvements along Doniphan Drive. Doniphan Drive is a TXDOT major arterial designated on the City's Bikeway plan.

## **CASE HISTORY**

On October 22, 2015, CPC approved Gabriel's Center Subdivision with the condition that an additional 10 feet of right-of-way be dedicated along Doniphan Drive, which is a TXDOT right-of-way. Additionally, CPC approved a request to waive ROW improvements along Doniphan Drive.

The applicant is now requesting that application SUSU15-00061 be reconsidered in order to remove the imposed condition. TXDOT has confirmed that the additional dedication is not required and does not oppose to the removal of the condition.

## **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the request to waive right-of-way dedication and improvements, and **approval** of Gabriel's Center Subdivision on a Major Combination basis subject to the following comments:

### **Planning & Inspections Department-Planning Division Recommendation**

Planning recommends **approval** of the request to waive improvements and dedication along Doniphan Drive in accordance with Section 19.10.050A:

1. *The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:*
  - a. *Fifty per cent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood.*

Planning recommends **approval** of Gabriel's Center Subdivision on a Major Combination basis.

## **TXDOT**

TxDOT does not require the additional dedication on Doniphan.

### **Planning & Inspections Department-Land Development**

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments.

1. Provide flood zone base flood elevations and finish floor building elevations.

### **EPWU-PSB Comments**

1. EPWU does not object to this request as long as the existing 16.8-ft Utility Easement that extends across the subject property from Doniphan Dr. to the southeast boundary of the property is shown on the plat in the correct location.

#### **Water:**

2. There is an existing 4-inch diameter water main extending across the subject property within a 16.8-ft utility easement that extends from Doniphan to the southeaster boundary of the property. This water main is available for service.

3. There is an existing 12-inch diameter water main extending along Doniphan Drive that is available for service, the water main is located approximately 36-ft east from the street center line.

4. EPWU records indicated there are six (6) active services serving the subject property. A ¾-inch domestic service and a ¾-inch irrigation service are addressed to 5374 Doniphan Dr. A ¾-inch domestic service is addressed to 5368 Doniphan Dr. A 1-inch domestic service is address to 5372 Doniphan Dr. A ¾-inch domestic service and a 6-inch fire line service is addressed to 5400 Doniphan Dr.

#### **Sanitary Sewer:**

5. There is an existing 12-inch diameter sanitary sewer main extending along a 20-foot utility easement is available for service. The sewer main is located approximately 11-ft north from the northern boundary line of the subject property.

6. There is an existing 12-inch diameter sanitary sewer main extending Doniphan Dr. that is available for service. The sewer main is located approximately 18.50-ft west from the property right-of-way.

7. EPWU records indicated there is an active 4-inch service serving the subject property.

#### **General:**

8. EPWU requires a new service application to provide service the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenance.

#### **Parks and Recreation:**

We have reviewed **Gabriel's Center**, a major combination plat map and on behalf of CID Parks Planning Division we offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-4" meeting the requirements for Non-residential uses as well as for Multi-family dwellings use with a minimum lot area of 750 sq. ft. per dwelling however, applicant has submitted copy of preliminary covenants restricting the use to Nor-residential therefore, "Park fees" will be assessed based on the following:

1. **If** applicant provides copy of final signed and recorded covenants restricting the use to Non-residential and **if** gross density waiver is granted by the City Manager or the Planning Department designee, then applicant shall be required to pay "Park fees" in the amount of **\$2,810.00** based on Non-residential subdivisions requirements calculated as follows:

Non-residential acreage 2.81 (rounded to 2 decimals) @ \$1,000.00 / acre = **\$2,810.00**

Please allocate generated funds under Park Zone: **NW-7**

Nearest Park(s): **Thorn Park**

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

#### **EPDOT**

The City of El Paso has reviewed the letter requesting a TIA waiver. Given that this is an

existing development and the amount of the new trips generated by the proposed plat application is less than the TIA threshold requirements, a TIA will not be required.

**El Paso Independent School District:**

No comments received.

**El Paso Fire Department:**

No comments received.

**911:**

No comments received

**Additional Requirements and General Comments:**

1. Submit to the Planning and Inspections Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

**Attachments**

1. Location map
2. Aerial map
3. Preliminary Plat
4. Final Plat
5. Waiver request
6. Application

## ATTACHMENT 1

# GABRIEL'S CENTER SUBDIVISION



ATTACHMENT 2

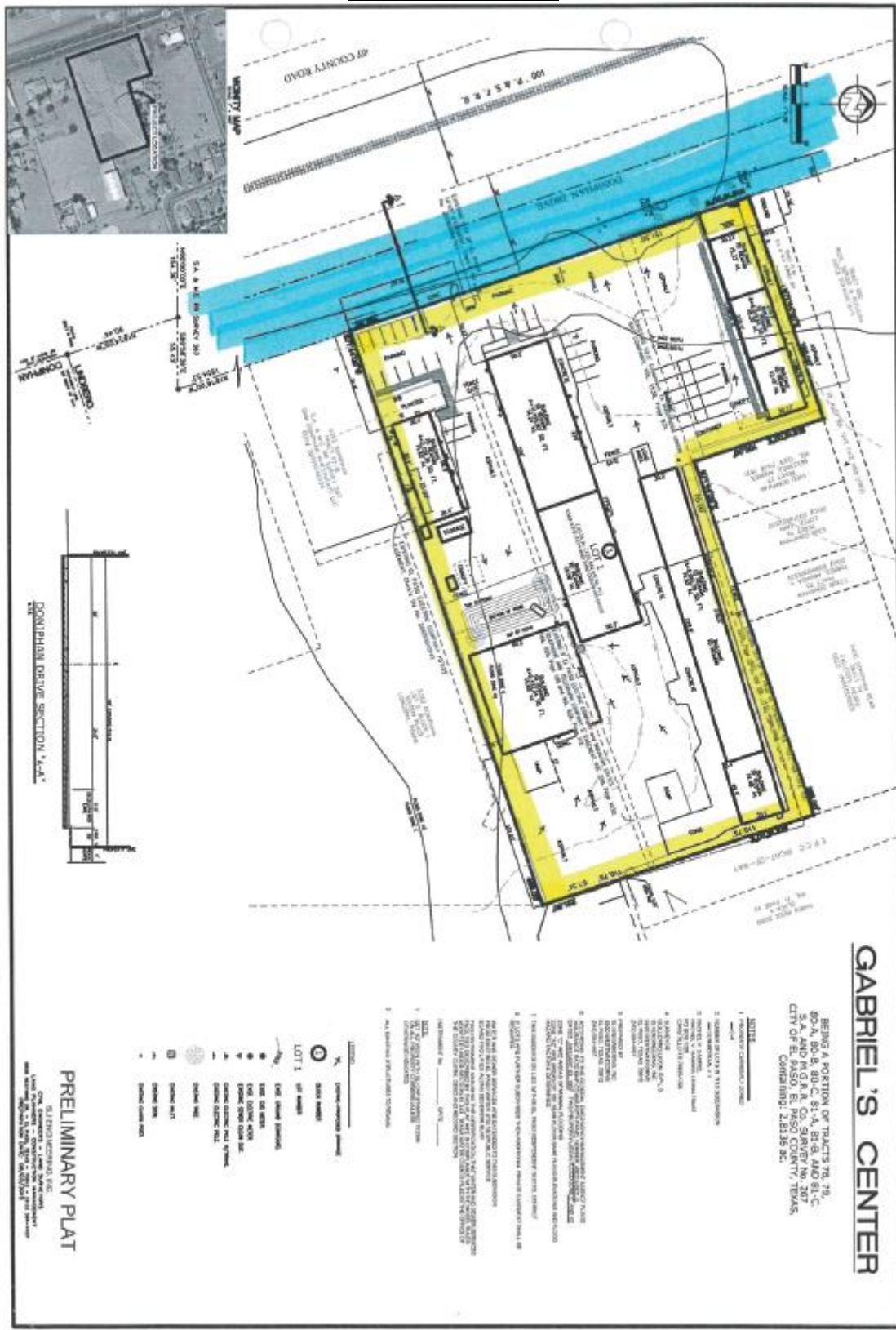
# GABRIEL'S CENTER SUBDIVISION





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## ATTACHMENT 4





## ATTACHMENT 5



Page 1 of 1

August 24, 2015

Guillermo Licón, P.E.  
President

Nelson Ortiz  
Planning Division  
City of El Paso  
711 Texas Street  
El Paso Texas

Dear Mr. Ortiz

**Subject: Gabriel's Center Subdivision**

Mrs. Rachel Gabriel cordially requests a waiver for the construction of the hike /bike lane requirement and for the existing configuration of Doniphan Dr. This condition was requested by your office as a comment on the subdivision listed above. More than 50% of the surrounding areas within a quarter mile radius have been developed along Doniphan without a hike and bike. The developer does not have an issue with building the hike and bike lane however; the lane will have a dead end on both sides. Granting the waiver will actually allow the developer to leave the configuration of Doniphan as it exists today. This configuration will not be detrimental to the public health, safety and welfare and will be in character with the neighborhood.

Thank you for your assistance.

Sincerely,



Georges Halloul  
SLI Engineering, Inc.

Civil Engineers  
Land Surveyors & Planners  
Construction Management

Licensed Registered Engineers  
Texas - New Mexico  
Arizona - Colorado

6600 Westwind Drive  
El Paso, TX 79912  
Phone (915) 584-4457  
Fax (915) 581-7756

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**Austin, Alfredo J.**

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**From:** Georges Halloul <ghalloul@sl-engineering.com>  
**Sent:** Wednesday, October 21, 2015 11:36 AM  
**To:** Austin, Alfredo J.  
**Subject:** RE: Gabriel's Center Subdivision

Mr. Austin

Please consider this email as my request to waive the requirement for additional right of way along Doniphan. The existing section of Doniphan is the same along the frontage of this property and all of the property north and south of ours

Thank you  
georges

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**From:** Austin, Alfredo J. [<mailto:AustinAJ@elpasotexas.gov>]  
**Sent:** Wednesday, October 21, 2015 8:39 AM  
**To:** Georges Halloul  
**Subject:** RE: Gabriel's Center Subdivision

Georges,

We have a couple of issues with Gabriel's.

1. We are waiting on TXDOT for their input on ROW dedication along Doniphan.
2. There is a setback encroachment on the rear of the lot. C-4 requires 10 foot rear setback and a shown building is at 9.48. Is this correct? I have spoken to Michael and he has advised that this can be corrected through legal nonconforming if building permits were issued, or through ZBA to get a variance for the encroachment.

Because of these issues Subdivision cannot recommend approval in front of CPC and we recommend that the case be postponed until the issues are addressed.

Cordially,

**Alfredo J. Austin**

Planner, Subdivisions  
Planning & Inspections | City of El Paso  
801 Texas  
El Paso, TX 79901  
915 212 1604  
[AustinAJ@elpasotexas.gov](mailto:AustinAJ@elpasotexas.gov)

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**From:** Austin, Alfredo J.  
**Sent:** Tuesday, October 20, 2015 6:33 PM  
**To:** 'Georges Halloul'  
**Subject:** RE: Gabriel's Center Subdivision

## ATTACHMENT 6



### CITY PLAN COMMISSION APPLICATION MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 9/17/2015

FILE NO. SUSU15-00061

SUBDIVISION NAME: GABRIELS CENTER SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)

BEING A PORTION OF TRACTS 78,79,80-A, BO-B 80-C 81-A, 81-B, AND 81-C, SA. MGR. CO. SURVEY No.  
267 ABST 179 CITY OF EL PASO, EL PASO COUNTY, TEXAS CONTAINING: 2.8136 AC.

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Industrial	_____	_____
Duplex	_____	_____	Office	_____	_____
Apartment	_____	_____	Street & Alley	_____	_____
Mobile Home	_____	_____	Ponding & Drainage	_____	_____
P.U.D.	_____	_____	Institutional	_____	_____
Park	_____	_____	Other: _____	_____	_____
School	_____	_____	Total No. Sites	<u>2.8136</u>	<u>1</u>
Commercial	<u>2.8136</u>	<u>1</u>	Total (Gross) acreage	<u>2.8136</u>	<u>1</u>

3. What is the existing zoning of the above-described property? C-4 Proposed zoning? \_\_\_\_\_

4. Will the residential sites, a proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_

5. What type utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of both X

6. What type of drainage is proposed? (If applicable, list more than one)

SURFACE AND PONDING.

7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No X

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No \_\_\_\_\_  
If answer is "Yes", please explain the nature of the modification or exception

9. Remarks and/or explanation of special circumstances:

WAIVER FOR ADDITIONAL RIGHT OF WAY FOR DONIPHAN DR.

10. Improvement plans submitted? Yes \_\_\_\_\_ No X

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No X

If yes, please submit a vested rights petition in accordance with Section 19.47- Vested rights (see attached)

12. Owner of record RACHEL V. GABRIEL P.O. BOX 1399 CANUTILLO TX, 79835 (915)877-2981  
(Name and address) (Zip) (Phone)

13. Developer RACHEL V. GABRIEL LIVING TRUST  
(Name and address) (Zip) (Phone)

14. Engineer SLI ENGINEERING 6600 WESTWIND 79912 (915)-584-4457  
(Name and address) (Zip) (Phone)

**CASHIER'S VALIDATION**

**FEE \$2,088.00**

OWNER SIGNATURE:

Rachel Gabriel

REPRESENTATIVE:

[Signature]

**NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR  
PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION  
FOR ACCURACY AND COMPLETENESS**